

ANNEXATION ORDINANCE NO. X-03-78 (as amended)

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3, effective ~~March 15, 1979~~ December 31, 1979 (JSL)

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, effective ~~March 15, 1979~~ to-wit: (December 31, 1979 (JSL))

Beginning at the Northeast Corner of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 13, Township 31 North, Range 12 East; thence Westerly along the South line of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of said Sections 13 and 14 to the West right-of-way line of the Penn Central Railroad Company's right-of-way; thence South along said West right-of-way to the North right-of-way line of Interstate 69; thence in a Northeasterly direction along the North right-of-way line of Interstate 69 to the centerline of Ludwig Road, assumed common with the East-West centerline of said Section 14; thence East along the centerline of said Sections 14 and 13 to the Southeast corner of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 13; thence North along the East line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 13 to the point of beginning.

The above described area containing approximately 200 acres.

SECTION 2. The following services will be provided by the City of Fort Wayne to the above described annexed territory immediately upon the effective date of annexation: police protection, fire protection, emergency medical services, street and road maintenance, solid waste collection, and traffic engineering.

SECTION 3. Additional services of an intangible nature which will be provided by the City of Fort Wayne to the above described annexed territory immediately upon the effective date of annexation include: services of the Office of the Mayor; Department of Finance; Redevelopment Commission; the Common Council; Community Development and Planning; Metropolitan Human Relations Commission and all other administrative branches of the City of Fort Wayne.

SECTION 4. That, upon petition to the Board of Public Works, City sewer, water and drainage shall be provided in accordance with relevant state law and existing City and City Utilities policies. Street lighting, street reconstruction, and park services, will be provided in conformance to existing policies, relevant state laws and upon petition when applicable.

SECTION 5. All governmental and proprietary services of the City of Fort Wayne that are to be provided the above described territory immediately upon annexation, as stated in this ordinance, will be furnished to the said described territory in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

Bill No. X- _____

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SECTION 6. Governmental and proprietary services of the City of Fort Wayne that are not to be provided immediately, or in a manner otherwise described herein, will be provided to the above described area within a period of three (3) years of annexation in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 7. The procedures for providing governmental and proprietary services to the above described area are outlined in the fiscal plan for the area developed by the Department of Community Development and Planning, which plan is examined, approved and adopted by the Common Council prior to the passage of this ordinance.


SECTION 8. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 9. After its passage, approval by the Mayor, final publication and the required sixty (60) day remonstrance period, this ordinance shall be in full force and effect on ~~March 15, 1979.~~ *December 31, 1979. (JLD)*



Councilperson

APPROVED AS TO FORM:



Clifford E. Simon, Jr., Associate City Attorney

Read the first time in full and on motion by Stier, seconded by

W. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 11-14-78 Charles W. Winterman
CITY CLERK

Read the third time in full and on motion by Stier, seconded by George, and duly adopted, placed on its passage.
PASSED (~~Lost~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u>0</u>	<u>3</u>	_____	_____
<u>BURNS</u>	_____	_____	<u>X</u>	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER -</u>	_____	_____	<u>X</u>	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	<u>X</u>	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 12-12-78 Charles W. Winterman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE
(RESOLUTION) No. X-03-78 on the 12th day of December, 1978
ATTEST: (SEAL)

Charles W. Winterman Samuel J. Talarico
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th
day of December, 1978, at the hour of 11:45 o'clock A. M., E.S.T.

Charles W. Winterman
CITY CLERK

Approved and signed by me this 20th day of December, 1978,
at the hour of 3 o'clock _____ M., E.S.T.

Rafael Amshong
MAYOR

amendment - By O. Schmidt seconded by .

Herle - change the date from December
31, 1979 to March 15, 1979.

6 no 3 yrs lost.

6-3
X-78-11-45 (as amended)
28
31
PROCEEDINGS OF THE COMMON COUNCIL
IN _____ SESSION
_____, _____, 19____

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council

Chambers _____ evening _____ A.D., 19____, in
_____ Session. President _____ in the chair,
and _____ Clerk, at the desk, present the following
members _____ viz:

BURNS Y, HINGA N, HUNTER Y,
MOSES N, NUCKOLS N, DONALD SCHMIDT Y,
VIVIAN SCHMIDT N, STIER N, TALARICO N,
ABSENT _____

COUNCILMAN _____, _____, _____,
_____, _____, _____,

The invocation was given by _____

Received report from the City Controller for the month of _____,

19____. Motion made and carried that report be made a matter of record and placed
on file.

The minutes of the last Regular _____, 19____,

_____, 19____,

Special _____, 19____,

Session having been delivered to the Council, were, on motion, approved and
published.

Amendment: by Hunter recorded by D. Schmidt
Change date from December 31, 1979 to
February 28, 1979.

5 no 4 yes - *Lee*

X-78-11-45 (as amended).

PROCEEDINGS OF THE COMMON COUNCIL

IN _____ SESSION

_____, _____, 19____

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

5/4

The Common Council of the City of Fort Wayne met in the Council

Chambers _____ evening _____ A.D., 19____, in
_____ Session. President _____ in the chair,

and _____ Clerk, at the desk, present the following

members _____ viz:

BURNS Y, HINGA N, HUNTER Y,
MOSES N, NUCKOLS N, DONALD SCHMIDT Y,
VIVIAN SCHMIDT Y, STIER N, TALARICO N,
ABSENT _____

COUNCILMAN _____, _____, _____,
_____, _____, _____,

The invocation was given by _____

Received report from the City Controller for the month of _____,

19____ Motion made and carried that report be made a matter of record and placed
on file.

The minutes of the last Regular _____, 19____,

_____, 19____,

Special _____, 19____,

Session having been delivered to the Council, were, on motion, approved and
published.

*See No. Log
check transcript.*

Bill No. X-78-11-49

(as amended)

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance
annexing certain territory to the City of Fort Wayne, and including
the same in Councilmanic District No. 3, effective March 15, 1979

(OAKBROOK PARK)

Dec. 31, 1979

*Amendment: - Change effective date from
March 15, 1979 to December 31, 1979.*

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance *Do* PASS. *(as amended)*

JAMES S. STIER - CHAIRMAN

WILLIAM T. HINGA - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JOHN NUCKOLS

DONALD J. SCHMIDT

James S. Stier
William T. Hinga
Vivian G. Schmidt
John Nuckols

12-12-78

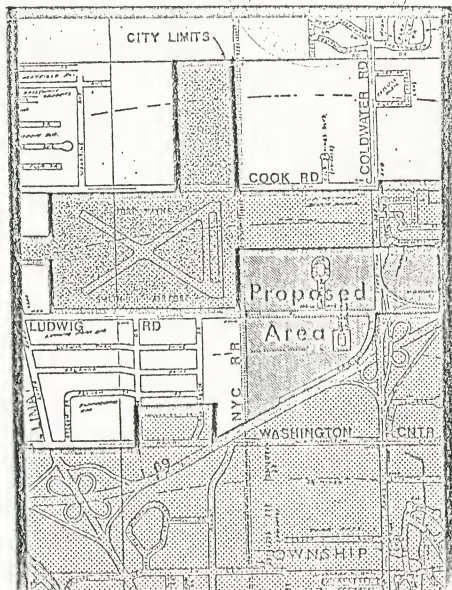
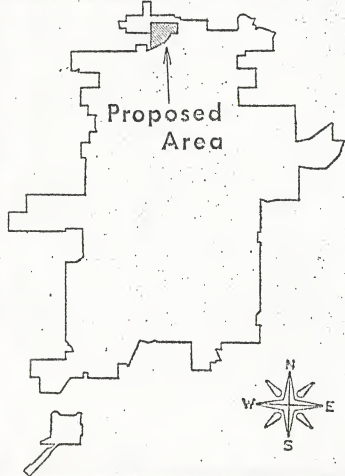
CONCURRED IN

DATE _____ CLERK _____ CITY CLERK

OAKBROOK PARK ANNEXATION

REVISED NOVEMBER 20, 1978

Bill No. _____
Ordinance No. _____
Effective Date _____

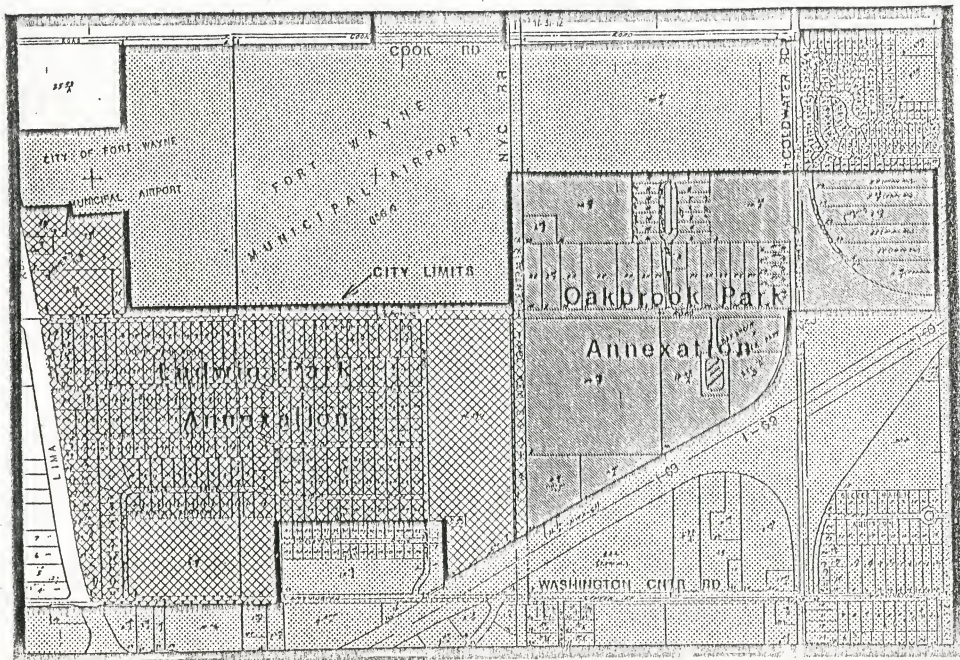


INTRODUCTION

The Oakbrook Park's annexation area is north of Fort Wayne in Washington Township and is bounded on its northern, eastern, and southern edges by the City. Directly west of the Oakbrook Park area is a residential development called Ludwig Park, for which an annexation ordinance has been introduced into City Council. The basis for annexing this area is that it can be used by the City for development in the reasonably near future. Such areas must be at least twenty five percent (25%) contiguous to the City (IC-28-5-10-25), which Oakbrook Park is. (See Map I)

The future development criteria of State law allows a city to annex an area if the area is needed and can be used by the City for its future development in the reasonably near future. Population projections have indicated the need for Fort Wayne to grow to accommodate its expanding urban area. The City Plan Commission has adopted an adjacent growth strategy in regard to future development. Growth adjacent to the corporate limits provides greater ease in concisely planning the services, such as utilities, needed for development. Crucially, forty-five percent (45%) of the area is underdeveloped and being 75% contiguous with the City, it is ideal for adjacent growth. Annexation is therefore appropriate, and helps to achieve efficient provision of municipal services to an area that will be urbanized. The following study reveals the area's basic data, the municipal services to be provided, develops a fiscal plan, and makes a recommendation.

MAP I



BASIC DATA

A. Location

Generally located North of Fort Wayne in Washington Township as follows:

South of Cook Road, East of New York Central Railroad, North of I-69, and West of Springfield Addition.

B. Size

The area encompasses approximately 200 acres, or .31 square miles.

C. Population

According to the 1970 Census of Housing¹ there are 3.52 persons per housing unit for this area. With 37 dwelling units in the area, an estimated 130 people live in the Oakbrook Park annexation area.

D. Zoning

Presently, 80% of the 193.85² acres of land located within the area is classified RS1, Single Family Residence, under the zoning laws of Allen County. Of the remaining area, 6% is zoned C3, General Commercial, and 14% C1A, Professional Services. Upon annexation, the land shall be in the territorial jurisdiction of the City Plan Commission, and shall automatically become classified with the corresponding city zoning.

(80%) RS1 will change to - R1, Single Family Residence

(6%) C3 will change to - B3B, General Business

(14%) C1A will change to - B1A, Limited Business

E. Land Use

<u>Type</u>	<u>Acres</u>	<u>Percent</u>
Agricultural or Vacant	88.97	45%
Recreational	12.411	6%
Residential	87.899	44%
Commercial	4.57	2%
Streets or Roads	6.15	3%

¹ "1970 Census of Housing, Block Statistics", U.S. Department of Commerce, Bureau of the Census.

² Additional 6.15 acres in streets and roads.

F. Planning

At this time, 45% of the Oakbrook Park annexation area is agricultural or vacant. The Fort Wayne area is growing with Washington Township population expected to increase 12,500 people by 1990. The Allen County Comprehensive Plan¹ suggests that the Oakbrook Park area should be residential in 1990. Thus, development, and residential development in particular, is expected and will be encouraged in this area. Development in Oakbrook Park is consistent with the County and the City Plan Commissions' adjacent growth policies. Growth in this fashion promotes the efficient delivery and use of urban services and minimizes the problems of scattered growth.² Annexation provides the legal means for providing urban services to this area in a coordinated and consistent manner.

Access to the area is already excellent with Coldwater Road being the principal arterial street, and Ludwig Road providing internal access. Ludwig Road is presently classified as a collector street and will be the same in 1990, according to the Allen County Comprehensive Plan, and the 1990 Transportation Plan.³ Collector streets provide access from arterial streets to neighborhood areas. Thus, Ludwig Road's status will not change with future development.

¹ Allen County Plan Commission, May 1976, 1990 Land Use Concept Plan Insert.

² Ibid, pp 32-33, 44.

³ Ibid, 1990 Transportation Plan Insert, and the Three Rivers Coordinating Council, Fort Wayne, Allen County Transportation Study for 1990.

Municipal Services

State law requires that within three(3) years of annexation, the City provides the annexed area with "governmental and proprietary services substantially equivalent in standard and scope" to the services provided similar areas in the City. (I.C. 18-5-10-25 (c)). This report contains a fiscal plan for doing so.

In 1970, the Fort Wayne City Council adopted Resolution No. R-83-70 (Bill No. R-70-07-24) that set forth a policy for providing services to newly annexed areas. This plan follows the directives of Resolution R-83-70, while conforming to existing laws, rules, and regulations.

Municipal services are analyzed in terms of the needs of the Oakbrook Park annexation area, and the costs of providing service to the area stipulated. As required by Indiana law, services will be provided in a manner that treats the Oakbrook Park area the same way as similar areas in the City are treated. Services will be at City standard, and, where necessary for items such as new street lighting, the standard service provision process will be used just as it is used elsewhere in the City of Fort Wayne.

The City of Fort Wayne will provide police and fire protection, emergency medical service, traffic engineering, solid waste collection, and street and road maintenance immediately upon annexation. Street lighting and street construction will be provided in accordance with the standard processes of the City, which can include resident petitioning and financial participation as well as the routine capital improvement procedures of the City. The water, sewer, and drainage services of the Fort Wayne City Utilities will be made available to the area in conformance with relevant State law and Utility policies. The Park facilities of the City will be available to residents with park development in the area contingent upon the park planning standards and methods used throughout the community. The specifics of implementing these services in the Oakbrook Park annexation area are discussed in this report.

All of the administrative services of the City of Fort Wayne will include the Oakbrook Park area in their area of service immediately upon annexation. This includes the Mayor's office, the City Plan Commission, the Metropolitan Commission on Human Relations, and others. Since these services are not geographically specific, they are not analyzed in detail for this annexation.

For this Plan, service needs are based upon current development, although several service reports (streets, street lighting, utilities) explain how future development would be served. When levels of service are based upon population (police and fire protection, emergency medical service, solid waste collection, and parks) existing population is used in service computations. As population increases, additional service will be provided as needed.

Even though development is expected in the area, for the purpose of providing, within three years, services substantially equivalent to those in similar area, and for the purpose of developing a reasonable five year fiscal summary, current development is used when potential revenue and costs are calculated. The use of growth projections would be merely speculative and estimates of quantity and timing would be gross, at best. Such changes are too unpredictable for a plan that has to be efficacious for a three year period.

Service costs will go up with development, but so will revenue. Neither can be estimated closely enough for the immediate planning task at hand of evaluating the immediate and short term requirements and impacts of annexation.

Police

The Oakbrook Park annexation area will receive police protection immediately upon annexation. This service generally includes the prevention and detection of criminal activity, the apprehension of criminal offenders, assistance for those who cannot care for themselves or are in danger of physical harm, the resolution of day to day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department participates in court proceedings and the protection of constitutional guarantees. It is also responsible for the control of traffic and the promotion and preservation of civil order.

The Police Department will keep track of the amount of personnel and equipment needed to serve the annexation area. The Chief of Police will study the manpower allocation in the Department and will assign personnel where needed. Manpower will be allocated in such a way that high priority response time will be approximately three (3) minutes, which is standard for the City.

Using a per capita method for assessing the impact of population additions upon the need for police and equipment, the following requirements result.¹

<u>Account Name</u>	<u>Cost</u>
.072 of a vehicle (veh. gas, parts, etc.)	\$ 759.00
.072 of a portable radio	98.00
.23 of a police officer	3,928.00
.015 of a civilian	156.00
.023 of a communication officer	407.00
maintenance & upkeep of communication equipment	36.00
	<u>\$5,384.00 -</u>

Funding for these items will come from local taxes, although any funds allocated to the general fund can be used.

¹ The Department has 1,683 officers per 1,000 population. This ratio is applied to the population estimate of 130 persons in the Oakbrook Park annexation area.

² with fringe benefits for additional personnel; \$6,282

Fire

The Fort Wayne Fire Department will provide service to the Oakbrook Park annexation area immediately upon annexation. Fire Department services include the suppression of fire, fire prevention education, and fire inspections of churches and all commercial establishments.

The Fire Department will respond to this area with fire fighting equipment, materials, and personnel, just as it does in similar locations in the City.

Service is already being provided immediately north and east of Oakbrook Park, so response time will be within acceptable limits. Primary response will be from Fire station #13 at the corner of Parnell and Coliseum Blvd., with assistance available from Station #6 in Industrial Park. Coldwater Road provides easy access from Coliseum Blvd. to Ludwig Road.

Having service from the Fort Wayne Fire Department could result in an annual fire insurance savings of roughly \$26, since Fort Wayne has a lower fire insurance rating than Washington Township.

This particular annexation will not require a new fire station, nor additional personnel or equipment. The only cost will be \$228.00 a year for a operating expenses.¹ These expenses will be funded through the General Fund. A special fire contract with GTE Data Services Corp. will be discontinued, but service will be continued at standard levels and will be paid for from regular property taxation.

Emergency Medical Service (EMS)

Upon annexation, EMS will provide full service to the area. This includes help for victims of heart attacks, automobile and other accidents, and to others needing immediate attention. On certain runs, the Fire Department will provide extra assistance. Response time for this area will be within the range considered acceptable for such service and ought to be nearly the same as that for the adjacent areas to the north and east that are already in the City.

Using a per capita fiscal impact analysis method, the only cost of this annexation will be \$360 in operating expenses, which covers all materials and personnel needed for the area.² Current staff and equipment is sufficient for this area, but the additional runs will result in some expenditures. The General Fund will pay for this.

¹ Calculated using housing density and average run figures

² In 1977, EMS made roughly .08 runs per person in Fort Wayne. Oakbrook Park would generate approximately 10 additional runs a year.

Solid Waste Collection

Under the terms of the present contract between the City of Fort Wayne and National Serv--All, the cost of solid waste collection is \$34.89 per household per year. With 37 households within the area, the total costs will be \$1,290.93 per year. If additional personnel are needed, they will be hired by the contractor.

Traffic Control

Six months after annexation, the traffic control services provided the Oakbrook Park area should be comparable to those provided the rest of the City. This involves the installation and maintenance of traffic control devices such as stop lights; traffic control signs; street paint, and carrying out traffic surveys and investigations.

The Traffic Engineering Department will not require additional personnel to perform these services, but additional equipment will be needed. The materials needed are:

<u>Item</u>	<u>Quantity</u>	<u>Cost</u>
Annual Paint Program	7,500 Feet	\$935.00
Street Name signs	8 sets	\$467.00
Intersection controls	3 sets	\$283.00
Fire Alarm Box	1 unit	<u>\$1500.00</u>
Total cost		\$3,185.00

Several funding sources can be used for these improvements including: property taxes, Motor Vehicle Highway (MVH), or Revenue Sharing.

Street Lighting

A street lighting master plan for the Oakbrook Park area has been prepared by Street Lighting Engineering. This report is based on survey work in the area, and includes recommendations as to kind and extent of lighting for the various streets and the costs.

Usually, street lighting is obtained by petition and often, financial participation of affected property owners. The City does have a policy of providing at least one light at every intersection in the City. Lighting is often installed as part of arterial street improvements.

Complete lighting of the entire Oakbrook Park annexation area as currently developed, would entail 74 lights at an installation cost of \$56,840 to \$59,690, depending upon the kind of light used on residential streets.

This includes intersection lights and any street lights currently leased from Indiana and Michigan. Four intersection lights will be required at a cost of \$550 each, or \$2200 to install, and \$88 a year to maintain. All costs are borne by the City of Fort Wayne using one of several funds. There is one residential street lighting design group that requires property owners to pay part of the cost.

Coldwater Road is a major traffic artery, and when lighting is a priority, project funding will probably come from LR & S at a cost of \$21,090.00 Ludwig Road, Racquet Drive, and Oakbrook Parkway are collector streets, and unless there is a currently unforeseen major improvement project, property owner petitioning will be required, although the City will pay 100% of the costs out of regular street lighting funds. Summer Drive and Ludwig Circle are residential streets, and property owner petitioning would be required. Funding for standard lighting comes from street lighting funds, and is allocated on a need basis. Should the residents desire ornamental lighting, they would pay the difference between standard and ornamental lighting.

Lighting other than at intersections will require resident petitions or arterial street improvement programs. Petitions will be treated equally with those from other areas: priority will be assigned on the basis of need and filing date and implemented as local street lighting funds allow.

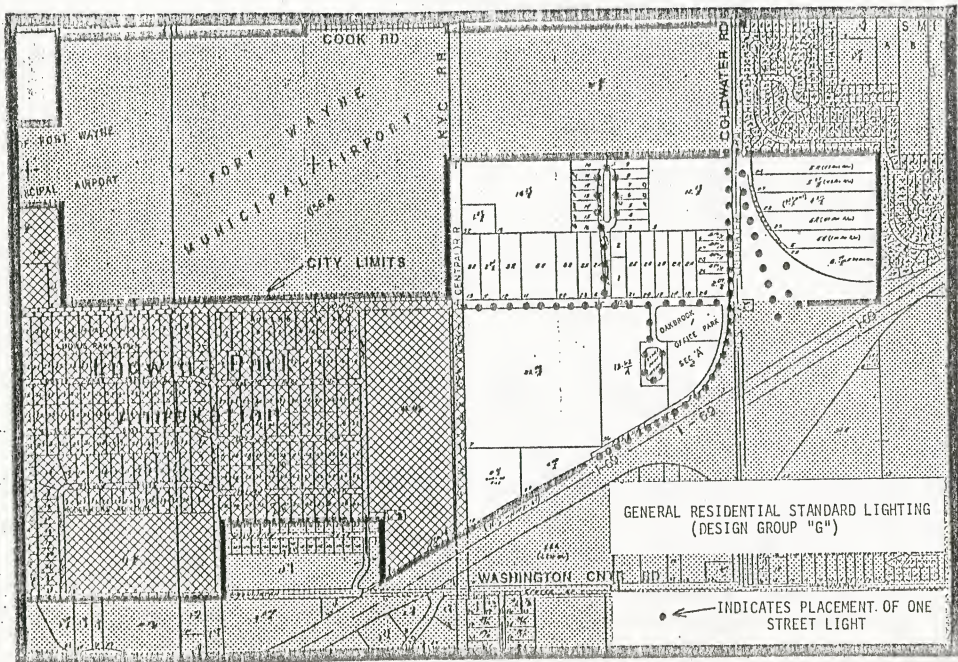
When the underdeveloped land within the annexation area is developed, the developer will be requested to install a lighting system that meets City requirements.¹

Listed below are the needs and costs of lighting current development in the Oakbrook Park annexation area: (See Map II)

<u>Item</u>	<u>Cost</u>
<u>Capital</u>	
74 lights and poles	\$56,840.00
<u>Operating</u>	
Maintenance	\$8.67 per light \$641.58
Energy	13.33 per light \$986.42
<u>Total</u>	\$1,628.00 per year

¹ Chapter 28A, Subdivision Control ordinance, Municipal Code of the City of Fort Wayne, Indiana.

MAP II



Operating costs will be borne by the City of Fort Wayne from whatever fund is used for street lighting. In the past, this has included both City Utility and Civil City monies. In 1979, this will be paid for entirely by City Utility funds.

Streets and Roads

The annexation of the Oakbrook Park area would add the following mileage and types of streets to the City of Fort Wayne:

<u>Type</u>	<u>Mileage</u>	<u>Condition</u>
Arterial	.25 miles	Good
Collector	.5 miles	Fair
Residential	1.18 miles	Fair

The cost of meeting City specifications for the streets that are in poor to fair condition would be \$646,000 for construction, and \$64,680 for engineering. This cost includes new curbs, sidewalks, and storm sewers. All improvements are for collectors and residential streets, as Coldwater Road (the artery in the area) does not need reconstruction or major repair.

Arterials, and often collectors, are improved with funding from accounts such as Federal Aid Urban or Local Roads and Streets. Residential streets are improved upon the petitioning of residents with funding being split 75% property owner and 25% City. The City share can come from Motor Vehicle Highway funds or other revenue. Upon petitioning Street Engineering will prepare preliminary plans and cost estimates. The project will go onto a list of residential street improvement projects and will be constructed as funds become available. Unimproved streets will be chip and sealed as part of the City's street maintenance effort.

Developers will be required to provide new streets along with the development. Any streets added this way will, however, be maintained by the City. There is no way to tell at this time how many miles of streets could be included, therefore estimates for maintenance expenses include existing streets only.

General street maintenance includes snow and ice removal, mowing along the roadside, leaf pick-up, and surface maintenance. The average cost is \$2,500 per mile of street. The Oakbrook Park annexation area contains 1.93 miles of streets and roads, which would cost \$4,825 a year to maintain.

The Street Engineering Department will provide engineering services and construction supervision for all street, alley, and sidewalk projects undertaken in the area by the City. Inspection services will also be provided, when required by the City policy, to private construction. No additional personnel will be required by this annexation.

Parks

There are no plans for physical park improvements in the Oakbrook Park annexation area, as there is no current need for a new park in the area or for improvements to an existing park. Public park facilities in the general area include Northrup High School's open space and other recreation facilities. Private recreation facilities are the Gunnar Elliot ice arena and the Racquet Club.

Street trees will not be planted until curbs and sidewalks are installed, and then, only if specific funds such as Revenue Sharing are available or the project itself includes trees.

Utilities

Water and sewer service are provided by the Fort Wayne City Utilities. These services are paid for with user charges and tap fees and not through Civil City property tax revenues. There are instances where certain system improvements, to the Sewage Treatment Plant for example, can be funded with special grants, such as those from EPA; but, the cost of extending service to residents of Oakbrook Park will be borne by those residents through direct charges. Thus, property owner involvement is required in the provision of services. City Utilities does, however, have the capacity and the facilities for extending water and sewer to the area.

A. Water

A substantial portion of the Oakbrook Park annexation area is already served with City water. Presently, there are 10 residential customers, plus the GTE Data Services Center on Oakbrook Parkway. The two additional commercial establishments, as well as the unserved residences, can be served directly from existing water mains, or by the extension of mains already in the area. (See Map III)

To be able to serve future development in the Oakbrook Park area, and adjacent areas, the Water Utility has constructed the Paramount-Washington Center Road Feeder main at a cost of \$263,615.

Other capital improvements are part of the Utility Master plan, but will only be constructed as the need develops.

Feeder mains are funded out of the cash reserves of the utility or out of the sale of revenue bonds. The exact source is determined once construction cost estimates are made.

Distribution mains to be constructed in this area to meet the needs of the platted streets, as well as those needed in the future, will be considered for construction once the affected property owners petition for their installation, and once the mechanics of funding are established. This is the standard procedure throughout the water service area.

Generally, distribution mains are paid for on a cash basis by the property owners who will directly benefit. A recorded contract requires others to pay their share of the initial construction costs when they desire service within fifteen (15) years. When these shares are collected by the Utility, they are paid back to the parties initially funding the main.

A bonding procedure may be used to assist property owners paying the cost of constructing mains adjacent to their property. The property owners benefiting from the project can spread the cost over ten (10) years. This is similar to the Barrett law procedure used for street, sidewalk and alley pavements, and sewer construction.

If, due to a Master Plan or other desire of the Utility, a main is installed larger than required by the property owners immediately involved, the cost of the extra sizing (oversizing) is paid for by the Utility.

Customers outside the City limits are charged a 35% surcharge on their water bills. This charge would be dropped upon annexation. In the Oakbrook Park area, this will reduce the Utilities annual revenue by approximately \$590.00.

B. Fire Hydrants

The Civil City of Fort Wayne pays the Water Utility \$115.64 annually for each fire hydrant located within the City. Upon annexation, the Civil City will pay the Utility \$925.12 a year for the eight (8) hydrants located within the annexation area.

C. Sewers

The Oakbrook Park Annexation area has been outlined by Map IV. The only sewer service the City extends to the annexation area is to the Oakbrook Office Park location in the southern portion of the area. The City does provide service to the area surrounding Oakbrook Park as indicated in Map IV. The City maintains a sanitary sewer system in the Springwood Addition to the north and east of the annexation area and in the Cambridge Square Addition to the south of the annexation area. The City provides service to Northrup High School to the north of the area. An interceptor sewer line is located along the west boundary of the annexation area.

The annexation area is positioned between the Spy Run Interceptor shed area and the St. Joseph Interceptor shed area. The annexation area was addressed in the "Master Plan for Sewers - Part 2", but, due to a lack of a pattern for future land development for this particular area, no meaningful master planning for sewers was presented. The available reserve capacity of the Spy Run and St. Joseph Interceptor systems will allow the annexation area to be tied into either system.

As elsewhere in the Sewer Service area, residents will be required to petition for a sewage collection system. This petition must be submitted to the Fort Wayne Board of Public

Works which will instruct its Water Pollution Control (WPC) engineering Department to investigate a sewer system for the area. Based upon a favorable report from the Water Pollution Control Engineering Department, the Board will then instruct the WPC to prepare the sewer design, hold public bid hearings, prepare assessment rolls and prepare the necessary bid documents and contracts.

This process normally takes approximately one year, with another six to nine months required for the construction of the petitioned sewage collection system itself, and the acceptance of the system into the City's sewage system for maintenance and operation.

The financing of any petition which includes both the engineering services cost and the construction cost is provided totally by the legal landowners involved. After annexation, the homeowners will have the option of using the Barrett Law to pay for the sewers. This allows for payment over a ten-year period at 6% annual interest.

Presently, the City has in effect a user's charge system for both a homeowner who lives in the City and for a homeowner who lives outside the City. Under this system, the average sewage charge for a homeowner living in the City is approximately \$2.58 per month. Those homeowners who live outside the City and are being served by a City sewer system can expect to pay an average sewage charge of \$5.16 per month.

The City of Fort Wayne is presently developing, in accordance with the guidelines of the U.S. Environmental Protection Agency, a new user's charge system will still have in effect a rate for both in and out-of-the-City homeowners.



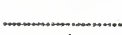



References

"Waste Treatment Cost Recovery Report", Fort Wayne Water Pollution Control Tuility, March 15, 1976.

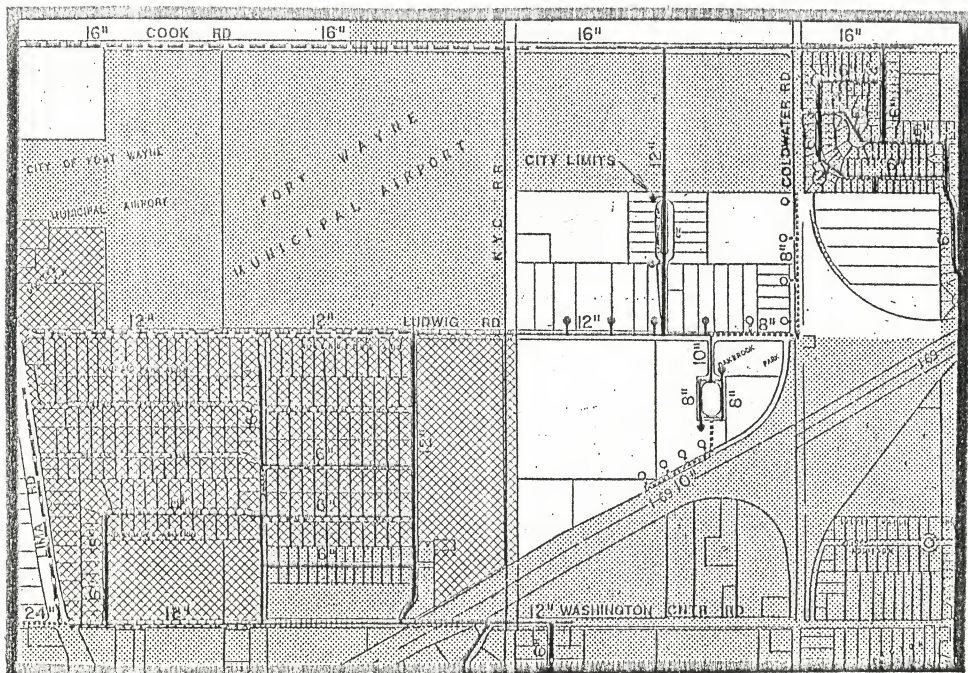
"Master Plan for Sewers - Part 2", prepared by Henry B. Steeg and Associates for the City of Fort Wayne, November 1970.

"Burns Statutes for Indiana - Barrett Law Financing"

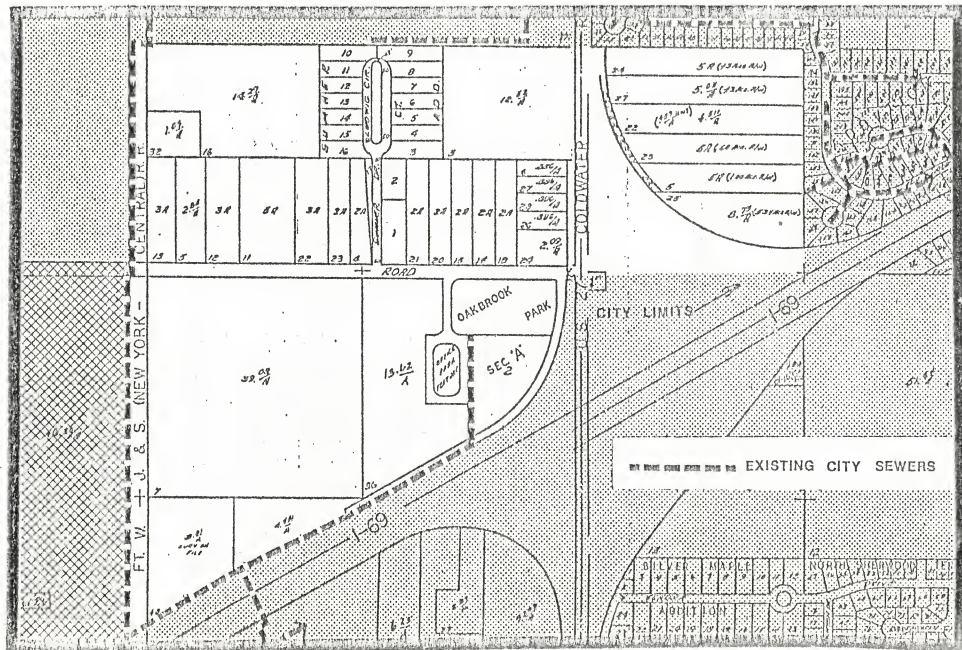
KEY TO MAP III

-  - Present water mains & sizes
-  - Present fire hydrants
-  - Proposed fire hydrants
-  - Proposed feeder mains - 1977
-  - Proposed feeder mains - 1978 or later
-  - Proposed distribution mains

MAP III



MAP IV



D. Storm Sewers

The City of Fort Wayne does not provide storm sewers to areas outside of the Corporate Limits. Once Oakbrook Park is annexed, the residents of the area can petition for storm sewers or other storm drainage relief. Water Pollution Control (WPC) Engineering will then study the area and recommend a course of action to relieve the problems or upgrade the existing system.

Storm sewers are the responsibility of the property owners, as are other storm drainage improvements. Should storm sewers be installed as part of a street improvement project, the financing pattern will follow that of the street project.

The costs shown in the Streets and Roads section of this report include storm sewers. At this time, residential street improvements are paid for by a 75% charge to property owners and 25% to the City. Arterial and collector improvements are financed in a variety of ways, which are discussed in the Streets and Roads report.

FINANCIAL SUMMARY

A. Revenue

The assessed valuation for the Oakbrook Park area was determined by obtaining the assessed valuation of each piece of property from Real Property Master File Status and the Washington Township Assessor's office. The land and real estate value for the total annexation area is \$590,940. Since each residential property owner is eligible for a \$1,000 mortgage exemption, and there 37 dwelling units, \$37,000 is deducted from the \$590,940 assessed valuation. Thus \$553,940 is the amount which determines the revenues derived from the City taxes. The official City tax rate for 1978 is \$3.78 per \$100 of the assessed valuation. Therefore, the City would receive \$20,506 from the assessed values of the Oakbrook Park area.

Several other sources of revenue for the City are based upon population. These are Motor Vehicle Highway (MVH), Alcoholic Gallonage, Cigarette Tax, and Cumulative Capital. The per capita amount in each fund fluctuates slightly, but the State is consistent in using the City's decennial census population. Thus, Oakbrook Park would have to be annexed by December 31, 1979, for Fort Wayne to receive these funds throughout the 1980's. The table below gives an estimate of the monies to be received.

<u>Revenue Source</u>		<u>Oakbrook Park Pop.</u>	<u>Total</u>
MVH	\$ 9.37 per capita	130	\$1,218
Alcoholic Gallonage	1.62 per capita	130	\$ 211
Cigarette	1.24 per capita	130	\$ 161
Cumulative Capital	4.62 per capita	130	\$ 601
		Total	<u>\$2,191</u>

The money received from the Alcoholic Gallonage and the Cigarette Tax is placed in the General Fund. The MVH revenue is placed in its own separate MVH fund. The Cumulative Capital revenue is placed in its own fund or, upon approval of the City Council, it may be placed in the General Fund.

The amount of money the City receives from Federal Revenue Sharing, the Community Development Block Grant, and the Local Road and Street Fund is related to the City's population. Population is only one element of complex distribution formulas, so the direct contribution of Oakbrook Park cannot be calculated. Still, these funds should increase with population increases.

B. Expenditures

Expenditures reported in the Municipal Services section are summarized here. Capital costs are separated from operating costs. For street construction, the City's share of residential street improvements is separated out from total costs. These are maximum costs as Oakbrook Park needs will be treated equally with other needs in the community as the City follows its capital improvements processes. Like street lighting, these projects must follow routine City procedures which often require petitioning, and implementation only upon later availability of funds. All areas in the City where residents request such improvements are handled in this manner.

Utility costs are not reported here as they are paid for by the property owners and only after they request the improvements. All costs are for the date of report and have been appropriately inflated for the five-year summary.

<u>Service</u>	<u>Capital costs</u>	<u>Operating cost</u> ¹
Police	\$98.00	\$6184.00
Fire		\$228.00
EMS		\$360.00
Solid Waste Collection		\$1291.00
Traffic Control	\$2250.00	\$ 935.00
Street Maintenance		\$4825.00
Street Lighting:		
- Total	\$56840.00	\$1628.00
- Intersections	\$ 2200.00	\$ 88.00
Fire Hydrants		\$ 925.00
Streets:		
- Total	\$710680.00	
-Arterial & collector	\$296600.00	
- Residential	\$414080.00	
-City share of residential	\$103520	
(25% of residential)		

C. Five Year Summary

The items included here are those that there is a reasonable certainty will be incurred within five years of annexation. Police, fire protection, emergency medical service, solid waste collection, and traffic engineering are considered essential for the health and safety of the residents of the area. Street maintenance and the rental of fire hydrants are also automatic with annexation. Expenditures for intersection lights are also included, even though they have often been funded with Revenue Sharing.

¹ Includes fringe benefits for additional personnel

Additional lighting is not, as it is dependent upon petitioning or arterial improvements, and cannot be assigned to a five year summary. Street improvements on a residential street are not included, since they will be undertaken only with resident participation and petitioning. As explained earlier, arterial improvements are not needed and collector improvements are not currently scheduled. Further development in the area will be required to include streets, sidewalks, and lights as needed.

The following table summarized anticipated costs and revenues. It assumes an annexation date after March 1, 1979, and before December 31, 1979.

Year	Expenditures	Five Year Expenditure and Revenue Summary ¹		
		Property Tax Revenue	Population Bases Revenue	Total
1979	\$1291 (-\$10280) ²	--	---	-\$ 1291 (-\$10280) ²
1980	\$18709	--	2191	-\$16,518
1981	\$15775	24706	2191	+\$ 11,122
1982	\$16832	26204	2191	+\$ 11,563
1983	\$19044	27776	2191	+\$ 10,923
				<u>+\$ 15,799</u> (+\$6810) ²

These estimates of expenditures and revenue will change with new development. These changes cannot be accurately forecast at this time. Certainly, costs will go up, but revenues will too, there is no present reason to think that the ratio of expenditures to revenue will change significantly for the services included in the five-year summary.

City property taxes will be assessed in 1980 and paid in 1981. Until revenue is received, the City budget will have to absorb, through several funds, the mid-year adjustment, and the regular budgetary process, the expense. Still, at the end of five years, annual income will cover costs and there will have been an estimated net gain of at least \$6810.

¹ Expenditures in the first year include solid waste collection, only. All other operating and capital costs are paid for the first time in the second year. In the third year and thereafter, the only costs are operational ones. All costs from the time of this report (1978) have an inflationary factor of 6.7% included. (Statistical Abstract of the U.S. Dept. of Commerce, Bureau of the Census, TABLE #700, p. 433, 1976.) If the area is annexed after March 1, 1979, the annexed area will not be assessed until 1980 and taxes would not be collected until 1981. The City of Fort Wayne expects an 8% increase in the Civil City's allowed levy in 1979. There will be no increase allowed in 1980. In 1981, the reassessment will take effect and an estimated increase of 10% is used. In 1982, and 1983, a conservative figure of 6% is used to determine revenues. These percentage increases are applied to the 1978 figure of \$20,506 in property tax revenue.

² A first year cost of \$10,280 was used to handle annexation effective on March 15, 1979. The solid waste cost is automatic with annexation effective in 1979. Otherwise, costs for the first year (operational only) could range as high as \$10,280 for an effective date of March 15, 1979.

SUMMARY AND RECOMMENDATIONS

A. Indiana Annexation Statutes

In order for the City successfully annex an area, the area must meet certain criteria set forth in Indiana Statutes, that define urbanized land, or, meet the future development criteria of the law. Oakbrook Park can be annexed under the future development provision.

The Oakbrook Park area is currently 75% contiguous on its external boundaries to the City. Thus it would be a natural extension of the City limits. (State law requires 25% contiguity for future development annexations.) The area is presently 45% underdeveloped, and given current growth patterns and projections, is a likely area for development. Growth in this area is consistent with the County and City Plan Commissions' adjacent growth strategies, which promotes the efficient use of land and the efficient planning and delivery of urban services.

As required by the State annexation statutes, the City must develop a fiscal plan to furnish the annexation territory within three (3) years, governmental and proprietary services. Common Council resolution R-83-70 sets forth a policy for doing so, and outlines the services involved as well as the basic constraints. The municipal services portion of this report describes, in greater detail, the City's plans for doing so. The Financial Summary shows the estimated costs and the financial impact upon the City.

B. Fort Wayne's Annexation Policy

The Fort Wayne City Council has considered additional annexation criteria in addition to the Indiana Statutes.

1. The area proposals for annexation must have a unity of interest with the municipality:
2. The Oakbrook Park area contains recreational and commercial facilities that service the Fort Wayne area's residents. In addition, the area appears to be a natural extension of the City's growth, since the area is 75% contiguous to the corporate limits.
2. The advantages to the proposed annexation must outweigh the disadvantages:

Businesses and residents of the area would experience an increase in taxes. This increase, however, would be partially offset by the provision of municipal services to the area, some of which they already receive. Annexation is a benefit to the whole community in providing a more equitable tax system and and enlargement of the tax base.

3. The advantages to the City must outweigh the disadvantages:

All projections indicate that the Fort Wayne urbanized area is, and will continue to grow in the foreseeable future. To insure that proper planning of needed additional municipal services is done thoroughly and efficiently, annexation of the areas becomes necessary. City residents pay city and county taxes which help to support services to the growing urbanized county residents. Yet urban county residents do not pay City taxes to support the services that they are using. Therefore, annexation is a means for insuring that urbanites share equally in costs of urban services.

4. The deficit of income against expense to the city must not be unreasonable:

In annexing Oakbrook Park, the City would expect an annual income. The first five year income, revenue minus expenditures, totals \$6,810 with annexation effective March 15, 1979, and totals \$15,799 with annexation effective December 31, 1979.

5. The City must desire to annex the area.

The Oakbrook Park area is bordered by the City on the north, east, and south; therefore, it appears to be a logical extension to the City. The area has the potential for absorbing needed adjacent growth of the City of Fort Wayne.

It is with careful thought and research that the Department of Community Development and Planning recommends that this area be annexed into the City of Fort Wayne, as it meets the established criteria.

WHEREAS, the Common Council of the City of Fort Wayne, Indiana on May 10, 1977 referred a proposed annexation amendment to the Bill No. X-77-05-24; and,

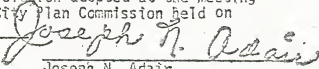
WHEREAS, the City Plan Commission reviewed such proposed ordinance and fiscal plan on Sept. 26, 77;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that the advantages to the City would outweigh the disadvantages in that the City should continue to realize a normal, active growth from the stand point that normal development will take place around the City whether the City wants it or not. This annexation will be in the best interest of and a benefit to the area involved and of and to the city; and the annexation will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Commission proposes January 1, 1978 as the effective date for Bill NO. X-77-05-24;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held on Sept. 26, 1977


Joseph N. Adair
Secretary

Certified and signed this 28th day of Sept. 1977.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

December 28, 1978

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of January 2 and January 9, 1979, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common
Council of Fort Wayne, Indiana

Bill No. X-78-11-49 (as amended)
Annexation Ordinance No. X-03-78 (as amended)

Please send us (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1





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Please send us (5) copies of the Publisher's Affidavit from both newspapers.

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City Clerk

CWW/ne
ENCL: 1



LEGAL NOTICE

Notice is hereby given that on the 12th day of December, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-78-11-49 (as amended) -- Annexation Ordinance No. X-03-78 (as amended)

BILL NO. X-78-11-49 (as amended)

ANNEXATION ORDINANCE NO. X-03-78 (as amended)

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3, effective ~~January 1, 1979~~ December 31, 1979

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, effective ~~January 1, 1979~~, to-wit:

December 31, 1979

Beginning at the Northeast Corner of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 13, Township 31 North, Range 12 East; thence Westerly along the South line of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of said Sections 13 and 14 to the West right-of-way line of the Penn Central Railroad Company's right-of-way; thence South along said West right-of-way to the North right-of-way line of Interstate 69; thence in a Northeasterly direction along the North right-of-way line of Interstate 69 to the centerline of Ludwig Road, assumed common with the East-West centerline of said Section 14; thence East along the centerline of said Sections 14 and 13 to the Southeast corner of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 13; thence North along the East line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 13 to the point of beginning.

The above described area containing approximately 200 acres.

SECTION 2. The following services will be provided by the City of Fort Wayne to the above described annexed territory immediately upon the effective date of annexation: police protection, fire protection, emergency medical services, street and road maintenance, solid waste collection, and traffic engineering.

SECTION 3. Additional services of an intangible nature which will be provided by the City of Fort Wayne to the above described annexed territory immediately upon the effective date of annexation include: services of the Office of the Mayor; Department of Finance; Redevelopment Commission; the Common Council; Community Development and Planning; Metropolitan Human Relations Commission and all other administrative branches of the City of Fort Wayne.

SECTION 4. That, upon petition to the Board of Public Works, City sewer, water and drainage shall be provided in accordance with relevant state law and existing City and City Utilities policies. Street lighting, street reconstruction, and park services, will be provided in conformance to existing policies, relevant state laws and upon petition when applicable.

SECTION 5. All governmental and proprietary services of the City of Fort Wayne that are to be provided the above described territory immediately upon annexation, as stated in this ordinance, will be furnished to the said described territory in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City which have characteristics of topography, patterns of land utilization and population density similar to said described territory.


SECTION 6. Governmental and proprietary services of the City of Fort Wayne that are to be provided the above described territory immediately upon annexation shall be provided in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 6. Governmental and proprietary services of the City of Fort Wayne that are not to be provided immediately, or in a manner otherwise described herein, will be provided to the above described area within a period of three (3) years of annexation in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 7. The procedures for providing governmental and proprietary services to the above described area are outlined in the fiscal plan for the area developed by the Department of Community Development and Planning, which plan is examined, approved and adopted by the Common Council prior to the passage of this ordinance.

SECTION 8. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 9. After its passage, approval by the Mayor, final publication and the required sixty (60) day remonstrance period, this ordinance shall be in full force and effect on ~~December 31, 1978~~ December 31, 1979.



Councilperson

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: Three
Burns, Hunter, D. Schmidt

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-03-78 (as amended) on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation

X-03-78 (as amended)
Ordinance No. _____ passed by the Common Council on the 12th day of
December, 19 78, and that said Ordinance was duly signed and approved

on the 20th day of December, 19 78 and now remains on

CITY CLERK

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-03-78 (as amended) passed by the Common Council on the 12th day of December, 19 78, and that said Ordinance was duly signed and approved by the Mayor on the 20th day of December, 19 78 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 20th day of December, 19 78.

SEAL

Charles W. Westerman

CHARLES W. WESTERMAN
CITY CLERK

Notice is hereby given that on the 12th day of December, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-78-11-49 (as amended) — Annexation Ordinance No. X-63-78 (as amended):

**BILL NO. X-78-11-49 (as amended)
ANNEXATION ORDINANCE
NO. X-63-78 (as amended)**

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Conclincian District No. 3, effective December 31, 1979.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the Corporation of the City of Fort Wayne, Indiana, effective December 31, 1979.

Beginning at the Northeast Corner of the Southwest ¼ of the Northwest ¼ of Section 13, Township 21 North, Range 12 East; thence Westerly along the South line of the North ½ of the North ½ of said Sections 13 and 14 to the West right-of-way line of the Penn Central Railroad Company's right-of-way; thence South along said West right-of-way to the North right-of-way line of Interstate 49; thence in a northeasterly direction along the North right-of-way line of Interstate 49 to the centerline of Ludwig Road, assumed common with the East-West centerline of said Section 14; thence East along the centerline of said Sections 14 and 13 to the Southeast corner of the Southwest ¼ of the Northwest ¼ of said Section 13; thence North along the East line of the Southwest ¼ of the Northwest ¼ of said Section 13 to the point of beginning.

The above described area containing approximately 200 acres.

SECTION 2. The following services to be provided by the City of Fort Wayne to the above described annexed territory immediately upon the effective date of annexation, police protection, fire protection, medical services, street and road maintenance, solid waste collection, and traffic engineering.

SECTION 3. Additional services of an intangible nature which will be provided by the City of Fort Wayne to the above described annexed territory immediately upon the effective date of annexation include: services of the Office of the Mayor; Department of Finance; Redevelopment Commission; the Common Council; Community Development and Planning; Metropolitan Human Relations Commission and all other administrative branches of the City of Fort Wayne.

SECTION 4. That, upon petition to the Board of Public Works, City sewer, water and drainage shall be provided in accordance with relevant state law and existing City and City Utilities policies. Street lighting, street reconstruction, and park services, will be provided in conformance to existing policies, relevant state laws and upon petition when applicable.

SECTION 5. All governmental and proprietary services of the City of Fort Wayne that are to be provided to the above described territory immediately upon annexation, as stated in this ordinance, will be furnished to the said described territory in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 6. Governmental and proprietary services of the City of Fort Wayne that are not to be provided immediately, or in a manner otherwise described herein, will be provided to the above described area within a period of three (3) years of annexation in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 7. The procedures for providing governmental and proprietary services to the above described area are outlined in the fiscal plan for the area developed by the Department of Community Development and Planning, which plan is examined, approved and adopted by the Common Council prior to the passage of this ordinance.

SECTION 8. Said annexed territory shall be part of Conclincian District No. 3 of the City of Fort Wayne, Indiana, as described in Section 29 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 9. After its passage, approval by Mayor, final publication and the required sixty (60) day remembrance period, this ordinance shall be in full force and effect on December 31, 1979.

JAMES S. STIER
Councilperson
Read the third time in full and on motion by Stier, seconded by Kinga, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Six
Kinga, Moses, Nuckolls, V. Schmidt, Stier, Talarico
Nays: None
Abstained: Three
Burns, Hutmire, D. Schmidt
Date: 12-12-78

Charles W. Westerman
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-63-78 (as amended) on the 12th day of December, 1978.

ATTEST
Charles W. Westerman
City Clerk
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of December, 1978, at the hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk
Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-63-78 (as amended) passed by the Common Council on the 12th day of December, 1978, and that said Ordinance was duly signed and approved by the Mayor on the 20th day of December, 1978 and now remains in file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 20th day of December, 1978.

CHARLES W. WESTERMAN
CITY CLERK

1-29

ate Board of Accounts

General Form No. 99 P (Rev. 1967)

11 of Fort Wayne

(Governmental Unit)

To **JOURNAL GAZETTE** Dr.

11 County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

number of lines

number of lines

193

number of lines

2

Total number of lines in notice

195

CHARGES

95 lines, **1** columns wide equals **195** equivalent lines at **259¢** **\$ 50.51**
cents per line

al charge for notices containing rule or tabular work (50 per cent of above amount)

1.50

or extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM.

\$ 52.01

TING COST

of single column 9.9 cms Size of type **5 1/2** point

of insertions **2** Size of quad upon which type is cast **5 1/4**

on and penalties of Ch. 89., Acts 1967.

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Annella De Wald

19 79

Title **CLERK**

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned, **ARVILLA DEWALD**, who, being duly sworn, says

that she is **CLERK** of the

JOURNAL GAZETTE

a **DAILY** newspaper of general circulation printed and published

in the English language in the city of **FORT WAYNE, INDIANA**

COPY OF

MENT HERE

in state and county aforesaid, and that the printed matter attached hereto is a true copy,

which was duly published in said paper for **two times**, the dates of publication being

as follows:

1/2-9/79

Subscribed and sworn to before me this

9th

day of

January

19 79

My commission expires

SEP 28 1979

Annella De Wald
Notary Public

Common Council of Fort Wayne

(Governmental Unit)

To JOURNAL-GAZETTE Dr.Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

1932195

COMPUTATION OF CHARGES

195 lines, 1 columns wide equals 195 equivalent lines at .259¢ \$ 50.51
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM.

\$ 52.01

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5 1/2 pointNumber of insertions 2Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWaldDate Jan. 9, 19 79Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of theJOURNAL-GAZETTEDAILYa DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANAin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:1/2-9/79Subscribed and sworn to before me this 9th day of January, 19 79My commission expires SEP 28 1979

Notary Public

Notices is hereby given that on the 12th day of December, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-78-11-49 (as amended) - Annexation Ordinance No. X-78-11-49 (as amended) - ANNEXATION ORDINANCE NO. X-78-11-49 (as amended) - AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3, effective December 31, 1979.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, effective December 31, 1979.

Beginning at the Northeast Corner of the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 31 North, Range 12 East; thence Westerly along the South line of the North 1/2 of the North 1/2 of said Sections 13 and 14 to the West right-of-way line of the Penn Central Railroad Company's right-of-way; thence South along said West right-of-way to the North right-of-way line of Interstate 49; thence in a Northeasterly direction along the North right-of-way line of Interstate 49 to the centerline of Ludwig Road; assumed common with the East-West centerline of said Section 14; thence East along the centerline of said Sections 14 and 13 to the Southeast corner of the South 1/2 of the Northwest 1/4 of said Section 13; thence North along the East line of the Southwest 1/4 of the Northwest 1/4 of said Section 13 to the point of beginning.

The above described area contains approximately 200 acres.

SECTION 2. The following services will be provided by the City of Fort Wayne to the above described annexed territory immediately upon the effective date of annexation: police protection, fire protection, emergency medical services, street and road maintenance, solid waste collection, and traffic engineering.

SECTION 3. Additional services of an intangible nature which will be provided by the City of Fort Wayne to the above described annexed territory immediately upon the effective date of annexation include: Services of the Office of the Mayor; Department of Finance; Redevelopment Commission; the Common Council; Community Development and Planning; Metropolitan Human Relations Commission and all other administrative branches of the City of Fort Wayne.

Section 4. That, upon petition to the Board of Public Works, City sewer, water and drainage shall be provided in accordance with relevant state law and existing City and City Utilities policies. Street lighting, street reconstruction, and park services, will be provided in conformance to existing policies, relevant state laws and upon petition when applicable.

SECTION 5. All governmental and proprietary services of the City of Fort Wayne that are to be provided to the above described territory immediately upon annexation, as stated in this ordinance, will be furnished to the said described territory in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services of the City to other areas of the City which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 6. Governmental and proprietary services of the City of Fort Wayne that are not to be provided immediately, or in a manner otherwise described herein, will be provided to the above described area within a period of three (3) years of annexation in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 7. The procedures for providing governmental and proprietary services to the above described area are outlined in the fiscal plan for the area developed by the Department of Community Development and Planning, which plan is examined, approved and adopted by the Common Council prior to the passage of this ordinance.

SECTION 8. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 9. After its final publication and the required sixty (60) day remonstrance period, this ordinance shall be in full force and effect on December 31, 1979.

JAMES S. STIER, Councilperson

Read the 3rd time in full and on motion by Stier, seconded by Kings, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Kings, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: Three
Burns, Hutner, D. Schmidt
Date: 12-12-78

Charles W. Westerman, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-78-11-49 (as amended) on the 12th day of December, 1978.

ATTEST:

Charles W. Westerman, City Clerk
Samuel J. Talarico, Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M., E.S.T.

Robert E. Armstrong, Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-78-11-49 (as amended) passed by the Common Council on the 12th day of December, 1978, and that said Ordinance was duly signed and approved by the Mayor on the 20th day of December, 1978 and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 20th day of December, 1978.

CHARLES W. WESTERMAN
CITY CLERK

State Board of Accounts

General Form No. 99 P (Rev. 1967)

City of Fort Wayne
Governmental Unit)

To NEWS-SENTINEL Dr.

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

number of lines	
number of lines	193
number of lines	2
Total number of lines in notice	195

CHARGES

95¢ lines, 1 columns wide equals 195 equivalent lines at .259¢, \$ 50.51

nal charge for notices containing rule or tabular work (50 per cent of above amount)

for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM. \$ 52.01

PRINTING COST

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V. E. Gerken

9 79

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALEX County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

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1/2-9/79

Subscribed and sworn to before me this 9th day of January 19 79

V. E. Gerken

Notary Public

My commission expires September 28, 1979

